

BEFORE THE
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation against:

ANDREW W. GRECHUTA
1251 North Manassero Street, Suite 402
Anaheim, CA 92807
Civil Engineer License No. C 52312,

and

DAVID J. MacARTHUR
831 South Lantana Avenue
Brea, CA 92621
Civil Engineer License No. C 12502,

Respondents.

Case No. 838-A

DECISION IN THE MATTER OF
THE ACCUSATION AGAINST ANDREW W. GRECHUTA ONLY

The attached Stipulated Settlement and Disciplinary Order Re: Andrew W. Grechuta
Only is hereby adopted by the Board for Professional Engineers and Land Surveyors as its Decision
in the above-entitled matter.

This Decision shall become effective on June 10, 2010.

IT IS SO ORDERED May 5, 2010.

original signed
BOARD FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
Department of Consumer Affairs
State of California

1 EDMUND G. BROWN JR.
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 NANCY A. KAISER
Deputy Attorney General
4 State Bar No. 192083
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-5794
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

8 **BEFORE THE**
9 **BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 838-A

13 **ANDREW W. GRECHUTA**
G&G Engineering, Inc.
14 1251 Manassero St., Suite 402
Anaheim, CA 92807
15 Civil Engineer License No. C 52312,

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER
RE: ANDREW W. GRECHUTA ONLY**

16 and

17 **DAVID J. MACARTHUR**
831 South Lantana Avenue
18 Brea, CA 92621
Civil Engineer License No. C 12502

19 Respondent.
20

21 In the interest of a prompt and speedy settlement of this matter, consistent with the public
22 interest and the responsibility of the Board for Professional Engineers and Land Surveyors, the
23 parties hereby agree to the following Stipulated Settlement and Disciplinary Order re Andrew W.
24 Grechuta Only which will be submitted to the Board for approval and adoption as the final
25 disposition of the Accusation regarding Andrew W. Grechuta only.

26 **PARTIES**

27 1. David E. Brown (Complainant) is the Executive Officer of the Board for Professional
28 Engineers and Land Surveyors. He brought this action solely in his official capacity and is

1 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
2 by Nancy A. Kaiser, Deputy Attorney General.

3 2. On or about July 8, 1994, the Board for Professional Engineers and Land Surveyors
4 issued Civil Engineer License No. C 52312 to Andrew W. Grechuta (Respondent). The Civil
5 Engineer License was in full force and effect at all times relevant to the charges brought in
6 Accusation No. 838-A and will expire on December 31, 2010, unless renewed.

7 3. Respondent is representing himself in this proceeding and has chosen not to exercise
8 his right to be represented by counsel.

9 JURISDICTION

10 4. Accusation No. 838-A was filed before the Board, and is currently pending against
11 Respondent. The Accusation and all other statutorily required documents were properly served
12 on Respondent on September 15, 2009. Respondent timely filed his Notice of Defense contesting
13 the Accusation. A copy of Accusation No. 838-A is attached as exhibit A and incorporated
14 herein by reference.

15 ADVISEMENT AND WAIVERS

16 5. Respondent has carefully read, and understands the charges and allegations in
17 Accusation No. 838-A. Respondent has also carefully read, and understands the effects of this
18 Stipulated Settlement and Disciplinary Order.

19 6. Respondent is fully aware of his legal rights in this matter, including the right to a
20 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
21 his own expense; the right to confront and cross-examine the witnesses against him; the right to
22 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
23 the attendance of witnesses and the production of documents; the right to reconsideration and
24 court review of an adverse decision; and all other rights accorded by the California
25 Administrative Procedure Act and other applicable laws.

26 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
27 every right set forth above.

28 ///

1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 838-A.

4 9. Respondent agrees that his Civil Engineer License is subject to discipline and he
5 agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order
6 below.

7 CONTINGENCY

8 10. This stipulation shall be subject to approval by the Board. Respondent understands
9 and agrees that counsel for Complainant and the staff of the Board may communicate directly
10 with the Board regarding this stipulation and settlement, without notice to or participation by
11 Respondent. By signing the stipulation, Respondent understands and agrees that he may not
12 withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers
13 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the
14 Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this
15 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
16 be disqualified from further action by having considered this matter.

17 11. Respondent further stipulates that the Board has jurisdiction to impose a public
18 reprimand upon his license to practice as a Civil Engineer pursuant to sections 495 and 8780 of
19 the Business and Professions Code.

20 11. The parties understand and agree that facsimile copies of this Stipulated Settlement
21 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and
22 effect as the originals.

23 12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
24 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
25 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
26 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
27 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
28 writing executed by an authorized representative of each of the parties.

14. In consideration for entering into this stipulated agreement ("Agreement"), Respondent hereby waives any right to challenge the legal effect of this Agreement, by way of petition for reconsideration, petition for writ of mandamus, appeal, or otherwise, and further waives any other legal claim or defense, which he may have asserted, including, but not limited to, any time based claim such as laches, in the event it is necessary to calendar an administrative hearing based on any part of Accusation No. 838-A. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that:

Based on all of the recitals and stipulations herein, it is stipulated and agreed that Civil Engineer License No. C 52312 heretofore issued to Andrew W. Grechuta shall, by way of letter from the Executive Officer, be publicly reprimanded. Said letter of public reprimand will issue as set forth herein above and shall be in the same form as the letter attached hereto as Exhibit "B."

It is further ordered that Respondent shall complete the following requirements:

A. Within one (1) year from the effective date of the decision, Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$2,606.75.

B. Within one (1) year of the effective date of the decision, Respondent shall successfully complete and pass a course in professional ethics, approved in advance by the Board or its designee. Respondent shall provide the Board with verifiable proof of his successful completion of the requisite course.

C. In the event that Respondent fails to comply with either of the requirements set forth under paragraphs A and B of this Order, the Board shall deem Respondent's notice of defense to be withdrawn, and the portion of Accusation No. 838-A relating to Respondent shall be deemed unchallenged by Respondent, all charges and allegations contained therein shall be deemed admitted as accurate and true, and the Board shall enter a default decision against Respondent in the matter of Accusation No. 838 A, revoking Respondent's Civil Engineer License No. C 52312.

1 ACCEPTANCE

2 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
3 stipulation and the effect it will have on my Civil Engineer License. I enter into this Stipulated
4 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
5 bound by the Decision and Order of the Board for Professional Engineers and Land Surveyors.

6 DATED: 02-15-2010

Original Signed
ANDREW W. GRECHUTA
Respondent

8
9 ENDORSEMENT

10 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
11 submitted for consideration by the Board for Professional Engineers and Land Surveyors.

12
13 Dated: 3/9/2010

Respectfully Submitted,

EDMUND G. BROWN JR.
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General

Original Signed

17 NANCY A. KAISER
18 Deputy Attorney General
19 Attorneys for Complainant

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Exhibit A

Accusation No. 838-A

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 NANCY A. KAISER, State Bar No. 192083
Deputy Attorney General
4 California Department of Justice
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-5794
6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

8
9 **BEFORE THE**
10 **BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 **In the Matter of the Accusation Against:**

Case No. 838-A

13 **ANDREW W. GRECHUTA**
1251 N. Manassero Street, Suite 402
14 Anaheim, California 92807

A C C U S A T I O N

15 **Civil Engineer License No. C 52312,**

16 and

17 **DAVID J. MACARTHUR**
831 South Lantana Avenue
18 Brea, CA 92621

19 **Civil Engineer License No. C 12502**

20 Respondents.

21
22 Complainant alleges:

23 **PARTIES**

24 1. David E. Brown (Complainant) brings this Accusation solely in his
25 official capacity as the Executive Officer of the Board for Professional Engineers and Land
26 Surveyors, Department of Consumer Affairs.

27 2. On or about July 8, 1994, the Board for Professional Engineers and Land
28 Surveyors issued Civil Engineer License Number C 52312 to Andrew W. Grechuta (Respondent

1 Grechuta). Per Business and Professions Code section 8731, the holder of a civil engineering
2 license issued after January 1, 1982 is not authorized to practice Land Surveying. The Civil
3 Engineer License was in full force and effect at all times relevant to the charges brought herein
4 and will expire on December 31, 2010, unless renewed.

5 3. On or about July 22, 1960, the Board issued Civil Engineer License
6 Number C 12502 to David J. MacArthur (Respondent MacArthur). Per Business and
7 Professions Code section 8731, a civil engineering license issued prior to January 1, 1982
8 authorizes the holder to practice Land Surveying. The Civil Engineer License was in full force
9 and effect at all times relevant to the charges brought herein and will expire on March 31, 2011,
10 unless renewed.

11 JURISDICTION

12 4. This Accusation is brought before the Board for Professional Engineers
13 and Land Surveyors (Board), Department of Consumer Affairs, under the authority of the
14 following laws. All section references are to the Business and Professions Code unless
15 otherwise indicated.

16 5. Section 118, subdivision (b), of the Code provides that the suspension,
17 expiration, surrender, cancellation of a license shall not deprive the Board of jurisdiction to
18 proceed with a disciplinary action during the period within which the license may be renewed,
19 restored, reissued or reinstated.

20 6. Section 6775 of the Code states, in part, that:

21 "[T]he board may reprove, suspend for a period not to exceed two years, or
22 revoke the certificate of any professional engineer registered under this chapter:

23 ...

24 "(h) Who violates any provision of this chapter."

25 7. Section 6731 of the Code states, in part, that: "Civil engineers registered
26 prior to January 1, 1982, shall be authorized to practice all land surveying as defined in Chapter
27 15 (commencing with Section 8700) of Division 3."

28 ///

1 ///

2
3 8. Section 6731.2 of the Code states that:

4 "Any registered civil engineer may offer to practice, procure, and offer to procure,
5 land surveying work incidental to his or her civil engineering practice, even though he or she is
6 not authorized to perform that work, provided all the land surveying work is performed by, or
7 under the direction of, a licensed land surveyor or registered civil engineer authorized to practice
8 land surveying. Further, any registered civil engineer may manage or conduct as manager,
9 proprietor, or agent, a civil engineering practice which offers to practice, procure, and offers to
10 procure, such incidental land surveying work."

11 9. Section 6738, subdivision (i), of the Code, states that: "A current
12 organization record form shall be filed with the board for all business engaged in rendering civil,
13 electrical, or mechanical engineering services."

14 10. Section 6749 of the Code states, in part, that:

15 "(a) A professional engineer shall use a written contract when contracting to
16 provide professional engineering services to a client pursuant to this chapter. The written
17 contract shall be executed by the professional engineer and the client, or his or her
18 representative, prior to the professional engineer commencing work, unless the client knowingly
19 states in writing that work may be commenced before the contract is executed. The written
20 contract shall include, but not be limited to, all of the following:

21 ...

22 (3) The name, address, and license or certificate number of the professional
23 engineer, and the name and address of the client."

24 11. Section 8729 of the Code states, in part, that:

25 "(a) This chapter does not prohibit one or more licensed land surveyors or civil
26 engineers licensed in this state prior to 1982 (hereinafter called civil engineers) from practicing
27 or offering to practice within the scope of their licensure, land surveying as a sole proprietorship,
28 partnership, firm, or corporation (hereinafter called business), if the following conditions are

1 satisfied:

2 ///

3
4 (1) A land surveyor or civil engineer currently licensed in the state is an owner,
5 partner, or officer in charge of the land surveying practice of the business.

6 (2) All land surveying services are performed by or under the responsible charge
7 of a land surveyor or civil engineer.

8 (3) If the business name of a California land surveying business contains the name
9 of a person, then that person shall be licensed by the board as a land surveyor or licensed by the
10 board in any year as a civil engineer. Any offer, promotion, or advertisement by the business that
11 contains the name of any individual in the business, other than by use of the name of the
12 individual in the business name, shall clearly and specifically designate the license discipline of
13 each individual named.

14 ...

15 (d) A person not licensed under this chapter or licensed as a civil engineer in this state
16 prior to 1982 may also be a partner or an officer of a land surveying business if the conditions of
17 subdivision (a) are satisfied. Nothing in this section shall be construed to permit a person who is
18 not licensed under this chapter or licensed as a civil engineer in this state prior to 1982 to be the
19 sole owner or officer of a land surveying business, unless otherwise exempt under this chapter.

20 ...

21 (i) A current organization record form shall be filed with the board for all businesses
22 engaged in rendering professional land surveying services."

23 12. Section 8731 of the Code states that:

24 "A registered civil engineer and a civil engineer exempt from registration under
25 Chapter 7 (commencing with Section 6700) of Division 3 are exempt from licensing under this
26 chapter and may engage in the practice of land surveying with the same rights and privileges,
27 and the same duties and responsibilities of a licensed land surveyor, provided that for civil
28 engineers who become registered after January 1, 1982, they shall pass the second division

1 examination provided for in Section 8741 and obtain a land surveyor's license, before practicing
2 land surveying as defined in this chapter.”

3 ///

4
5 13. Code section 8780 provides, in part, as follows:

6 “The board may receive and investigate complaints against licensed land surveyors
7 and registered civil engineers, and make findings thereon. By a majority vote, the board may
8 reprove, suspend for a period not to exceed two years, or revoke the license or certificate of any
9 licensed land surveyor or registered civil engineer, respectively, licensed under this chapter or
10 registered under the provisions of Chapter 7 (commencing with Section 6700), whom it finds to
11 be guilty of:

12 ...

13 (d) Any violation of any provision of this chapter or of any other law relating to or
14 involving the practice of land surveying.

15 ...

16 (f) Aiding or abetting any person in the violation of any provision of this chapter.

17 14. Section 8792 of the Code states, in part, that:

18 “Every person is guilty of a misdemeanor:

19 (a) Who, unless he or she is exempt from licensing under this chapter, practices, or
20 offers to practice, land surveying in this state without legal authorization.

21 ...

22 (i) Who, unless appropriately licensed, manages, or conducts as manager, proprietor,
23 or agent, any place of business from which land surveying work is solicited, performed, or
24 practiced, except as authorized pursuant to Section 6731.2 and subdivision (d) of Section 8729.”

25 15. California Code of Regulations, title 16, section 463, states, in part, that:

26 “(b) A licensed land surveyor and/or civil engineer who practices or offers to
27 practice land surveying, according to the provisions of Section 8729 of the Code, as a partner,
28 member, or officer of a partnership, firm, or corporation shall advise the Board within thirty (30)

1 days of such association or termination of association on a form approved by the Board.”

2 **COST RECOVERY**

3 16. Section 125.3 of the Code provides, in part, that the Board may request the
4 administrative law judge to direct a licensee found to have committed a violation or violations
5 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
6 enforcement of the case.

7 **PODPORA PROJECT**

8 17. On or about February 22, 1999, Respondent Grechuta filed an
9 Organization Record for G & G Engineering, Inc. (“G&G”) with the Board. G & G’s
10 Organization Record states that Respondent Grechuta is the only officer, partner or member of
11 the firm and that Respondent Grechuta is in responsible charge of professional engineering. No
12 other individuals are named on the document. It states that the firm provides Civil Engineering
13 and Land Surveying services.

14 18. On or about February 18, 2000, a Grant Deed conveyed Assessor’s Parcel
15 No. 6120-015-027 (“Podpora Parcel”) to Marian and Krystyna Podpora (“Podpora”). The
16 Podpora Parcel is on Ainsworth Street in the City of Los Angeles (“City”), California. On or
17 about June 22, 2001, the City conditionally approved a preliminary map for the division of the
18 Podpora Parcel. The preliminary map established the terms that would apply to a Parcel Map to
19 subdivide the Podpora Parcel into two separate parcels (“Parcel Map 2000-5400”).

20 19. On or about August 8, 2001, G&G entered into a contract with Podpora to
21 prepare a Parcel Map, Grading Plan and Final Map for the Podpora Parcel (“Podpora Contract”).
22 The work of the Podpora Contract was predominantly land surveying. On or about November
23 27, 2001, G&G submitted Parcel Map No. 2000-5400 to the City for review for the first time.
24 This submittal of Parcel Map No. 2000-5400 did not contain the name, stamp or signature of a
25 licensed land surveyor or “Pre-82 Civil Engineer.” On or about January 14, 2002, G&G
26 resubmitted Parcel Map No. 2000-5400 to the City for review for the second time. On or about
27 March 19, 2002, G&G resubmitted Parcel Map No. 2000-5400 to the City for review for the
28 third time.

1 20. On or about April 8, 2002, Respondent MacArthur was hired as an
2 employee of G&G. On or about October 7, 2002, G&G resubmitted Parcel Map to the City for
3 review for the fourth time. This is the first version of Parcel Map No. 2000-5400 that bears
4 ///

5 Respondent MacArthur's name. On or about March 28, 2003, G&G resubmitted Parcel Map to
6 the city for review for the fifth time.

7 21. On or about May 13, 2003, a City Survey Crew retraced the boundaries of
8 Parcel Map ("City Retracement"). The City Survey Crew found numerous discrepancies with
9 draft versions of the Parcel Map. On or about April 21, 2003, G&G resubmitted Parcel Map to
10 the City for review for the sixth time. On or about June 17, 2003, Parcel Map No. 2000-5400
11 was recorded in the records of Los Angeles County. The final, recorded version of Parcel Map
12 No. 2000-5400 was not much different than the City Retracement.

13 22. On or about May 19, 2005, Respondent MacArthur submitted a letter to
14 the Board stating that he supervised the preparation of Parcel Map 2000-5400.

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Acting in the capacity of a land surveyor without legal authorization)**

17 23. Respondent Grechuta's license is subject to disciplinary action under
18 Code sections 8780, subdivision (d), and 8792, subdivision (a), in that he acted in the capacity of
19 a land surveyor without legal authorization. Specifically, Respondent Grechuta entered into the
20 Podpora Contract for work that constituted predominantly Land Surveying services, directed
21 field surveys, prepared the first three versions of Parcel Map No. 2000-5400, and submitted them
22 to the City, all prior to hiring Respondent MacArthur, as set forth in paragraphs 17 through 21,
23 above.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Operated unauthorized land surveying business)**

26 24. Respondent Grechuta is subject to disciplinary action under Code sections
27 8780, subdivision (d), and 8792, subdivision (i), in that he operated a business from which land
28 surveying work was solicited, performed, or practiced without a land surveyor or a civil engineer

1 licensed prior to 1982 as an owner, partner, or officer, as set forth in paragraphs 17 through 21,
2 above.

3 ///

4 ///

6 **THIRD CAUSE FOR DISCIPLINE**

7 **(Violation of the Professional Engineers Act)**

8 25. Respondent Grechuta is subject to disciplinary action under Code section
9 6775, subdivision (h), in that he violated provisions of the Professional Engineers Act (§6700, et
10 seq.) and laws relating to the practice of professional engineering, as follows:

11 a. Code section 6731.2: Respondent Grechuta practiced land surveying without
12 legal authorization, as set forth in paragraphs 17 through 23, above.

13 b. Code section 6749, subdivision (a)(3): Respondent Grechuta failed to include his
14 license number on the Podpora Contract, as set forth in paragraph 19, above.

15 **FOURTH CAUSE FOR DISCIPLINE**

16 **(Aiding and abetting practice of land surveying without legal authorization)**

17 26. Respondent MacArthur is subject to disciplinary action under Code
18 section 8780, subdivision (f), in that he aided and abetted the practice of land surveying without
19 legal authorization by Respondent Grechuta by failing, allegedly as the land surveyor in
20 responsible charge of land surveying services performed by G&G, to be in responsible charge
21 for the project upon his entry into the company, as set forth in paragraphs 17 through 22, above.

22 **FIFTH CAUSE FOR DISCIPLINE**

23 **(Violation of Provisions of Act)**

24 27. Respondent MacArthur is subject to disciplinary action under Code
25 section 8780, subdivision (d), in that he violated provisions of the Land Surveyor's Act (§§
26 8700, et seq.) and laws relating to the practice of land surveying. Specifically, Respondent
27 MacArthur violated section 6738, subdivision (i), and 8729, subdivision (i), by failing to submit
28 a revised Organization Record upon being hired by G&G in order to inform the Board he was in

1 responsible charge of the land surveying services conducted by the company.

2 **PRAYER**

3 WHEREFORE, Complainant requests that a hearing be held on the matters herein
4 alleged, and that following the hearing, the Board issue a decision:

5 ///

6
7 1. Revoking or suspending Civil Engineer License Number C 52312, issued to
8 Andrew W. Grechuta;

9 2. Revoking or suspending Civil Engineer License Number C 12502, issued to
10 David J. MacArthur;

11 3. Ordering Andrew W. Grechuta and David J. MacArthur to pay the Board the
12 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
13 Professions Code section 125.3; and

14 4. Taking such other and further action as deemed necessary and proper.

15
16 DATED: 8/28/09

17
18
19 Original Signed

20 David E. Brown
21 Executive Officer
22 Board for Professional Engineers and Land Surveyors
23 State of California
24 Complainant
25
26

27 LA2008504091

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Exhibit B

LETTER OF PUBLIC REPRIMAND

**BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, CA 95833-2944

Telephone: (916) 263-2222 Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.pels.ca.gov



DATE

Andrew W. Grechuta
1251 Manassero Street, Suite 402
Anaheim, CA 92807

PUBLIC REPROVAL**IN THE MATTER OF ACCUSATION NO. 838-A
AGAINST ANDREW W. GRECHUTA**

This letter shall serve as reproof as ordered pursuant to the Decision of the California Board for Professional Engineers and Land Surveyors in the Matter of Accusation No. 838-A, which became effective on [EFFECTIVE DATE].

On August 28, 2009, Accusation No. 838-A was filed against your Civil Engineer License, No. C 52312, alleging that your license was subject to disciplinary action pursuant to Business and Professions Code section 6775. The Accusation alleged that you acted in the capacity of a land surveyor without legal authorization, in violation of Business and Professions Code section 8792, subdivision (a); that you operated an unauthorized land surveying business, in violation of Business and Professions Code section 8792, subdivision (i); and that you violated provisions of the Professional Engineers Act (Business and Professions Code section 6700, et seq.) in that you practiced land surveying without legal authorization and failed to include your license number on the contract, in violation of Business and Professions Code sections 6775, subdivision (h), and 6749, subdivision (a)(3).

On [DATE], you entered into a Stipulated Settlement and Disciplinary Order in this matter. The California Board for Professional Engineers and Land Surveyors adopted this Stipulated Settlement and Disciplinary Order as its Decision in this matter, to become effective on [EFFECTIVE DATE].

In the Stipulated Settlement and Disciplinary Order, you admitted the truth of each and every charge and allegation relating to you contained in Accusation No. 838-A. Furthermore, you agreed that your Civil Engineer License is subject to discipline, and you agreed to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order of the Stipulated Settlement and Disciplinary Order.

Accordingly, pursuant to the Decision in the Matter of Accusation No. 838-A, you are hereby issued this Public Reproof by the California Board for Professional Engineers and Land Surveyors.

DAVID E. BROWN
Executive Officer
Board for Professional Engineers
and Land Surveyors
State of California